

2. Both species are found in Spain (albeit the 55 kHz phonic type is more abundant), so it not absolutely certain that Cabrera's (1904) description of *P. mediterraneus* referred to a 55 kHz bat (although it probably did).

3. In relation to *Pipistrellus pipistrellus*, Helversen et al. (BZN 57: 114, para. 2) noted that 'Schreber's description was based on the observations of Daubenton (1759) who lived in Montbart in France, a region where the 45 kHz phonic type is much more common than the 55 kHz one'. In fact, Schreber (1774, pp. 167–168) referred to the previous publications of Buffon (1760) and Pennant (1771), as well as Daubenton (1759) (para. 1 of the application), and recorded the occurrence of the species in Germany: (in translation) 'In Germany it appears to be scarce and it is native in local areas and regions'.

4. The name *P. pygmaeus* is used in recent and ongoing publications. These include Häussler et al. (1999) *Myotis*, 37: 27–40; Braun & Häussler (1999) *Carolinea*, 57: 111–120; Russo & Jones (2000) *Mammalia*, 64: 187–197; Parsons & Jones (2000) *Journal of Experimental Biology*, 203: 2641–2656. The name is also being used in the new Dutch translation of Schober & Grimmberger's *A guide to the bats of Britain and Europe* (translated by P. Lina), in the *New handbook of British mammals* (edited by S. Harris), and is listed in the Annex of Accepted Names for the European Bat Agreement. The name *P. pygmaeus* has also been used in many popular articles and in conference abstracts.

Adoption of the name *Pipistrellus mediterraneus* at this stage for the 55 kHz phonic type of pipistrelle would create considerable confusion.

Comment on the proposed conservation of LORISIDAE Gray, 1821 and GALAGIDAE Gray, 1825 (Mammalia, Primates) as the correct original spellings
(Case 3004; see BZN 55: 165–168; 56: 73; 57: 51, 121–123, 228–231)

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I write in support of the proposal by Schwartz et al. (BZN 55: 165–168, September 1998) to conserve the family-group names LORISIDAE and GALAGIDAE as the correct original spellings, although J.E. Gray (1821, 1825) established them in the forms LORIDAE and GALAGONINA respectively. The matter at issue is the stems for the genera *Loris* and *Galago*: whether the widespread 'Loris-' and 'Galag-' or Gray's 'Lor-' and 'Galagon-'.

Before Jenkins (1987) considered that the stems 'Lor-' and 'Galagon-' and resultant family-group spellings should be reinstated under the provisions of the 3rd edition of the Code, almost all authors had used the modified forms first published by Flower & Lydekker (1891) and later popularized by Gregory (1915). Schwartz et al.'s proposal was supported by Yalden (BZN 56: 73) but rejected by Groves & Jenkins (BZN 57: 51), whose argument was in turn opposed by Schwartz et al. (BZN 57: 121–122). In the latest comment on this case, Mowbray et al. (BZN 57: 228–231) have further responded to Groves & Jenkins and formally raised the issue of the

spellings INDRIDAE vs. INDRIIDAE (based on the genus *Indri* E. Geoffroy Saint-Hilaire, 1796), to which Groves & Jenkins's comment briefly alluded.

Article 29.3.3 (previously 29b(ii)) of the Code states that a generic name which is not Greek or Latin takes the stem adopted by the author of a new family-group name based on that genus. However, in the 4th edition of the Code a new provision bears strongly on this case: Article 29.5 notes that 'If a spelling of a family-group name was not formed in accordance with Article 29.3 but is in prevailing usage, that spelling is to be maintained, whether or not it is the original spelling and whether or not its derivation from the name of the type genus is in accordance with the grammatical procedures in Articles 29.3.1 and 29.3.2'.

It is clear that had this new provision been in effect in 1987, Jenkins would not have made the proposal to reinstate Gray's original spellings. Even now, as shown by Schwartz et al. in their comment, recent authoritative works have continued to employ the widespread emended spellings LORISIDAE and GALAGIDAE, which are 'in prevailing usage' in the sense of Article 29.5 and the Code Glossary.

Groves & Jenkins (BZN 57: 51), standing against the Schwartz et al. proposals, noted that the name INDRIIDAE Burnett, 1828 also requires alteration to INDRIDAE, as originally published. Mowbray et al. (BZN 57: 228–230) have reviewed the history of this name in greater detail and argued for the retention of the prevailing spelling INDRIIDAE. In fact, Article 29.5 would apply here as well.

At least one additional primate family-group name falls under the same provisions. Gray (1825) named the family-group taxon *Tarsina*, based upon *Tarsius* Storr, 1780. Burnett (1828) modified this to TARSIDAE, and it was only Gill (1872) who proposed the spelling TARSIIDAE, which is in prevailing usage today. Yet Jenkins (1987) employed the latter spelling in the same volume in which she altered LORISIDAE to LORIDAE, GALAGIDAE to GALAGONIDAE, and INDRIIDAE to INDRIDAE. To return the question put by Groves & Jenkins to Schwartz et al., why did Groves & Jenkins not question the spelling of TARSIIDAE in addition to the other three family-group names? Fortunately they did not do so.

The Commission is requested to rule in favor of the proposals put forward by Schwartz et al. and by Mowbray et al.

Additional reference

Gill, T. 1872. Arrangement of the families of mammals with analytical tables. *Smithsonian Miscellaneous Collections*, **11**(1): 1–98.